

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

UNITED STATES OF AMERICA, §
§
Plaintiff, §
§
VS. §
§ CIVIL ACTION NO. 7:08-cv-00302
2.6433 ACRES OF LAND, more or less, in §
HIDALGO COUNTY, TEXAS; and §
PAMELA RIVAS, §
§
Defendants. §

FINAL JUDGMENT

The Court hereby renders final judgment in this case in accordance with Federal Rules of Civil Procedure 54 and 58. Having considered the parties' "Stipulation for Revestment and Motion for Entry of Final Judgment,"¹ and having determined that it warrants entry of this final judgment,² the Court ORDERS, ADJUDGES, and DECREES that:

Fee simple absolute title and full and immediate possession of Tracts RGV-MCS-1004, RGV-MCS-1004E-1, RGV-MCS-1004E-2, RGV-MCS-1004E-3, RGV-MCS-1005-2, RGV-MCS-1107, RGV-MCS-1108, RGV-MCS-1108-2, and RGV-MCS-1108-3, as particularly described in the United States' Exhibits 1 and 2 attached to the stipulation,³ totaling 2.6433 acres of land located in Hidalgo County, Texas, together with all encumbrances not otherwise discharged, are RE-VESTED in Defendant Pamela Rivas.

¹ Dkt. No. 168.

² Dkt. No. 172.

³ Dkt. Nos. 168-1 and 168-2.

The total sum of three thousand six hundred dollars (\$3,600), together with any interest earned while on deposit in the registry of the Court,⁴ constitutes just compensation under the Fifth Amendment to the United States Constitution for the taking of the above-named Tracts and the sum fully satisfies any claims of whatever nature by any Defendant against the United States for this action and taking. Judgment is entered against Plaintiff United States of America for the amount of just compensation. The Court **ORDERS** the Clerk of the Court to immediately disburse the \$26,950 and all interest on deposit in the Court's registry payable in the following amounts:

- \$3,600, together with a 13.36% share of all accrued interest, to the order of Pamela Rivas; and
- \$23,350, together with an 86.64% share of all accrued interest, to the order of "F&A Officer, USAED, Fort Worth," with a cover letter or check notation that references "Tract Nos. RGV-MCS-1004, 1004E-1, 1004E-2, 1004E-3, 1005-2, 1107, 1108, 1108-2, and 1108-3."

The "F&A Officer, USAED, Fort Worth" is:

Charanne Marshall
Finance and Accounting Officer, U.S. Army Engineer District
P.O. Box 17300
Room 3A37
Fort Worth, Texas 76102⁵

In the event that any other party is ultimately determined by a court of competent jurisdiction to have any right to receive compensation for the interests in property taken in this proceeding, Defendant Pamela Rivas shall refund into the registry of the Court her compensation distributed by this final judgment, or such part thereof as the Court may direct, together with interest thereon at the annual rate provided in 40 U.S.C. § 3116 from the date of receipt of compensation to the date of repayment into the registry of the Court.

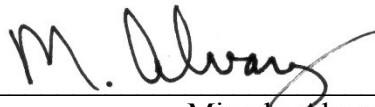
⁴ See 40 U.S.C. § 3116. But see 40 U.S.C. § 3114(c)(1).

⁵ See *United States v. 1.8946 Acres of Land, more or less, in Starr Cnty.*, No. 7:20-cv-00026, Docket Entry (S.D. Tex. June 7, 2021) (disbursing payment to the F & A Officer).

This final judgment is binding on the heirs, trustees, executors, administrators, devisees, successors, assigns, agents, and representatives of Defendant Pamela Rivas. This final judgment resolves all issues in this case. Each party to this proceeding is to bear its own costs and fees. Any relief not expressly granted in this final judgment is hereby **DENIED**. All deadlines and conferences in this case are **CANCELLED** and any pending motion, request, or other matter is **DENIED AS MOOT**. Execution may issue for this final judgment as allowed by law. This case is terminated and the Clerk of the Court is instructed to close the case.

IT IS SO ORDERED.

DONE at McAllen, Texas, this 21st day of September 2021.



Micaela Alvarez
United States District Judge

